

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FELIPE FERNANDEZ,

Plaintiff,

24-cv-7243 (JGK)

- against -

BLACK OPAL, LLC,

ORDER

Defendant.

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JOHN G. KOELTL, District Judge:

Via order dated September 26, 2024, the Court directed the parties to discuss settlement or provide an update to the Court by November 26, 2024. Additionally, the plaintiff had 90 days from filing the complaint, on September 25, 2023, to serve the summons and complaint on the defendants. Fed. R. Civ. P. 4(m). On December 12, 2024, the Court advised the parties that the time to advise the Court of the status of the matter and the time to serve the summons were both adjourned to January 10, 2025. The Court further advised the plaintiff that if the summons was not served by January 10, 2025, the case would be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

To date, the plaintiff has failed to serve the summons and complaint on the defendant. Accordingly, the action is **dismissed**

**without prejudice** for failure to prosecute. The Clerk is directed to close this case.

**SO ORDERED.**

Dated:      New York, New York  
January 13, 2025

  
John G. Koeltl  
United States District Judge